

Sexual Assault



Naming the Unnamed Conspirator

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Who are the parties to a sexual assault?

- The Victim
- The Offender

When you go away to college:

- If your daughter had a one in four chance of being the victim of a violent robbery just because she went to college -



- Do you think you would let her go?

in a survey of more than 6000 students at 32 colleges and universities in the U.S., it was found that:

- One in four women had been victims of rape or attempted rape
- Only 27% of the women considered themselves to be victims of rape, although their assaults met the legal definition of rape
- 84% of the rape victims knew their attacker

- 57% of the rapes happened on dates
- 42% told no one of the assault, and only 5% reported to the police

Warshaw, Robin. *I Never Called it Rape: The Ms. Report on Recognizing and Surviving Date and Acquaintance Rape*. New York: Harper Perennial, 1994.

What if she wanted to go into the military?

- Study of 558 female veterans:
 - 79% experienced sexual harassment while in military
 - 54% experienced unwanted sexual contact while in military
 - 30% experienced one or more attempted or completed rapes while in the military

(Sadler, Booth, Cook, & Doebbeling, 2003)



What about the guys?

- More than 10% of male college students committed acts that met the legal definition of rape (Warshaw, 1988)(Lisak)
- 88% of men whose actions came under the legal definition of rape were adamant that their behavior did not constitute rape. (Warshaw, 1988)
- 14.8% of Naval recruits admitted perpetrating rape or attempted rape prior to military service. (Merrill, et al., 1998)

Influence of the unnamed conspirator on public opinion



Times/CNN Poll (1991)

38% of the men and
37% of the women
said that a raped woman
is partly to blame
if she dresses provocatively.

Georgia Opinion Poll (1998)

(Random sample: ages 18 to 49)

49% of the men
and 42% of the women
believe women cry rape
when it hasn't really happened.

Georgia Opinion Poll (1998)

(Random sample: ages 18 to 49)

48% of the men and
48% of the women
believe sexual assault
necessarily includes
the use of a gun or other weapon.

Georgia Opinion Poll (1998)

(Random sample: ages 18 to 49)

20% of the men
and 9% of the women
believe a woman has **no right**
to say “no”
to having sex with her husband.

Influence of the unnamed conspirator on children



Rhode Island Study of School Children (1988) (1,700 6th to 9th grade students)

65% of boys and
47% of girls
said it is acceptable
to force a woman to have sex
if the couple has been dating
for more than six months.

Rhode Island Study of School Children (1998)

(1,700 6th to 9th grade students)

62% of boys and
58% of girls
said it is acceptable
to force a woman to have sex
if the couple has been dating
for more than six months.

Rhode Island Study of School Children (1988) (1,700 6th to 9th grade students)

50% of the boys
And 50% of the girls said
a woman walking alone
is **asking** to be raped.

Rhode Island Study of School Children (1988) (1,700 6th to 9th grade students)

70% of boys and 54% of girls said that a man has a right to sexual intercourse against the woman's will if they have had intercourse before.

Rhode Island Study of School Children (1998) (1,700 6th to 9th grade students)

70% of boys and 53% of girls said that a man has a right to sexual intercourse against the woman's will if they have had intercourse before.

Influence of Unnamed conspirator on jurors

Harry Kalven & Hans Zeisel,
The American Jury
(1966)

Jurors define rape
in terms of the victim's
“assumption of risk.”

Gary LaFree, Ph.D.,
Rape and Criminal Justice:
The Social Construction of
Sexual Assault
(1989)

Jurors disregard evidence
and decide rape cases
based on their personal perceptions of
the victims' character and lifestyle.

How the unnamed conspirator affects jury verdicts

- Traditional “good jurors” may not be good in these cases
- The “best” profile for a juror on a non stranger sexual assault case?
 - Male juror who has a daughter the same age as the victim

**Change focus from
victim to offender**



Examples

- What was she wearing
- She consented to part
- She was drinking
- She invited him over
- She got him started and he could not stop

Consent Defined

“Consent” means words or overt acts indicating a freely given agreement to the sexual conduct by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused’s use of force, threat of force, or placing another person in fear does not constitute consent.

She invited him over!

She got him
going and he
couldn't stop

The Unnamed Conspirator



AKA: Societal Attitude

The “Petrie Dish”



We have created a
perfect environment
for perpetrators.

Thank You!



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